IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

SATURDAY, THE 1ST DECEMBER 2007 / 10TH AGRAHAYANA 1929

WP(C).No. 30999 of 2007(M)

PETITIONER:

M.KRISHNAN, S/O. KUNJUKUTTAN,
ELAVUNGAL HOUSE, MULLARINGADU,
VANNAPPURAM VILLAGE.

BY ADV. SRI.T.I.ABDUL SALAM

RESPONDENTS:

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1. THE ADDITIONAL DISTRICT MAGISTRATE,
IDUKKI.

2. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, K.S.E.B.,
THODUPUZHA EAST.

3. M.M.RAMESAN,
MANIYAMKALLEL HOUSE, MULLARINGADU P.O.,
VANNAPPURAM, IDUKKI DISTRICT.

BY ADV. SRI.SOJAN MICHEAL
SHRI.P.P.THAJUDEEN, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF THE ORDER DATED 06/10/2007 BY THE FIRST RESPONDENT.

P2 : COPY OF THE ROUGH SKETCH.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 30999 of 2007

Dated, this the 1st day of December, 2007

J U D G M E N T

Since the line proposed is only 30 meters of weather proof cable, there is no scope for entertaining challenge against drawal of the electric line because weather proof line is insulated and benign. However, petitioner's case is that a construction is going to be made beneath the proposed line and therefore, line has to be drawn by shifting pole B by 4 feet to the north. Petitioner has also requested for drawing the line with under ground cable. In the circumstances, this writ petition is disposed of directing the 2nd respondent to draw the line by shifting pole B by 4 feet to the north, so that the line will be drawn four feet north of the proposed route to enable the petitioner to construct the building. If petitioner provides quality under ground cable and pipe, connection should be given through under ground cable avoiding shifting of pole also. This writ petition is disposed of with the above direction to the 2nd respondent.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg